

**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,
LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS
AND LANDSCAPE ARCHITECTS MEETING**

MINUTES

The Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on March 17, 2005, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

Architects

John S. Clark, Jr.
J. Everette Fauber, III
Kenneth A. Schwartz

Professional Engineers

Nico De León
Stanley Harris

Land Surveyors

Doyle B. Allen
John R. McAden
W. R. Stephenson, Jr.

Interior Designers

Carole R. Renmark
Cameron C. Stiles

Landscape Architects

Vaughn B. Rinner

Board members William H. Spell and Richard N. Davenport were not present at the meeting.

Staff present for all or part of the meeting were:

Louise Fontaine Ware, Director
Sandra Whitley Ryals, Chief Deputy Director
Karen W. O'Neal, Deputy Director of Licensing and Regulations Division
Nick Christner, Deputy Director of Compliance and Investigations Division
Mark N. Courtney, Executive Director
Marian H. Brooks, Program Administrator
Michelle Gowen, Administrative Assistant

No representative was present from the Office of the Attorney General.

Mr. Allen, Chair, called the meeting to order at 9:10 a.m.

Call to Order

Mr. Fauber moved to approve the agenda as written. Mr. Harris seconded the motion which was unanimously approved by members: Allen, Clark, DeLeón, Fauber, Harris, McAden, Rinner, Renmark, Schwartz, Stephenson, and Stiles.

Approval of Agenda

After discussion, Mr. Fauber moved to amend the December 9, 2004, APELSCIDLA Board meeting minutes to state why the meeting did not start until 9:32 a.m. Mr. Stephenson seconded the motion which was unanimously approved by members: Allen, Clark, DeLeón, Fauber, Harris, McAden, Rinner, Renmark, Schwartz, Stephenson, and Stiles.

Approval of Minutes

After further discussion, Mr. Fauber moved to amend the February 9, 2005, Certified Interior Designers Section meeting minutes. Ms. Rinner seconded the motion which was unanimously approved by members: Allen, Clark, DeLeón, Fauber, Harris, McAden, Rinner, Renmark, Schwartz, Stephenson, and Stiles.

Mr. Fauber moved to approve the minutes as amended from the following meetings:

- December 9, 2004, APELSCIDLA Board Meeting;
- February 3, 2005, Architects Section Meeting;
- February 8, 2005, Professional Engineers Section Meeting;
- February 9, 2005, Certified Interior Designers Section Meeting;
- February 15, 2005, Land Surveyors Section Meeting, and
- September 23, 2004, Photogrammetry Facilitation.

Mr. McAden seconded the motion which was unanimously approved by members: Allen, Clark, DeLeón, Fauber, Harris, McAden, Rinner, Renmark, Schwartz, Stephenson, and Stiles.

Public Comment Period – Kevin Barnes, a landscape architect was present and introduced himself as a representative of the Virginia ASLA.

Public Comment Period

Mr. Courtney informed the Board members of HB1932 which expands the powers of the Board with regard to sanctions it may impose. Mr. Courtney also explained the provisions of HB2123 which clarifies that judges have the authority to order restitution from unlicensed practitioners as well as HB2863 which allows the Board to sub-regulate the practice of photogrammetry. Ms. Ware stated her sincere appreciation to the Board members for their hard work on HB2863.

Discussion of 2005 Legislation

Mr. Courtney gave a brief overview of the Emergency Response Memorandum of Understanding between the Virginia Department of Emergency Management, Virginia Society of Professional Engineers and the Department. Mr. Courtney also informed the Board members that the Memorandum of Understanding would be signed later today.

Discussion of Engineers' Emergency Response Memorandum of Understanding

Mr. Courtney explained to the Board members that the current three-year examination administration contract will be expiring soon and recommended that the Board approve a one-year extension of the contract. After discussion, Mr. Fauber moved to approve the one-year extension of the contract contingent upon the vendor's continued cooperation with the Department regarding the NCEES matter. Mr. Harris seconded the motion which was unanimously approved by members: Allen, Clark, DeLeón, Fauber, Harris, McAden, Rinner, Renmark, Schwartz, Stephenson, and Stiles.

Consideration of
Extension of
Examination
Administration
Contract

The Board members were provided with a comprehensive report of activity in the Compliance and Investigations Division since the last Board meeting.

Comprehensive
Report of
Compliance &
Investigations
Division Activity

The Board members were provided with the Board financial statements from January 2005 for informational purposes.

Review of Financial
Statements

Regarding **File Number 2004-03365, Tom Jannetides**, the Board members reviewed the Consent Order as seen and agreed to by Mr. Jannetides. Mr. Clark moved to accept the Consent Order which cites a violation of 18 VAC 10-20-750 of the Board's 2002 regulations. For this violation, Mr. Jannetides agrees to voluntarily surrender his Virginia architect's license and agrees to not further seek renewal of, or re-apply, for such license. Mr. Schwartz seconded the motion which was unanimously approved by members: Allen, Clark, DeLeón, McAden, Rinner, Renmark, Schwartz, Stephenson, and Stiles. As the reviewing members, Mr. Fauber and Mr. Harris were not present during the discussion or vote.

File Number 2004-
03365, Tom
Jannetides

Regarding **File Number 2003-02530, Earl F. McKinney**, the Board members reviewed the Consent Order as seen and agreed to by Mr. McKinney. Ms. Stiles moved to accept the Consent Order with an amendment to defer receipt of the monetary penalties until July 1, 2005. The Consent Order cites the following violations: §12.7 (Count 1), §12.7 (Count 2), 18 VAC 10-20-750 (Count 3), 18 VAC 10-20-740.B (Count 4), 18 VAC 10-20-750 (Count 5), and 18 VAC 10-20-740.B (Count 6). Further, the Consent Order imposes the following sanctions: \$250.00 for the violation contained in Count 3, \$250.00 for the violation contained in Count 6, and \$300.00 in investigative costs for each violation, for total monetary penalties of \$2,300.00. Ms. Rinner seconded the motion which was unanimously approved by members: Allen, Clark, DeLeón, Fauber, McAden, Rinner, Renmark, Schwartz, Stephenson, and Stiles. As the reviewing member, Mr. Harris was not present during the discussion or

File Number 2003-
02530, Earl F.
McKinney

vote.

Regarding **File Number 2004-03025, Curtis Kirsch**, the Board members reviewed the Consent Order as seen and agreed to by Mr. Kirsch. Mr. Clark moved to accept the Consent Order which cites the following violations: 18 VAC 10-20-750 of the Board's 2002 regulations (Count 1) and 18 VAC 10-20-740.B of the Board's 2002 regulations (Count 2). For these violations, Mr. Kirsch agrees to the revocation of his architect's license. Further, Mr. Clark moved to correct the reference to "professional engineer license" in the Report of Findings and replace it with "architect license." Mr. Fauber seconded the motion which was unanimously approved by members: Allen, Clark, DeLeón, Fauber, Harris, McAden, Rinner, Renmark, Schwartz, Stephenson, and Stiles.

File Number 2004-03025, Curtis Kirsch

Mr. Courtney reminded the Board members of the upcoming elections which will be held at the next Board meeting on June 16, 2005.

Other Business

The Board members were shown a copy of the Certificate of Recognition received by the Department from the Governor in honor of Engineer's Week.

Mr. Courtney requested the Board members to provide information and articles which they would like to be included in the next edition of the Board's newsletter.

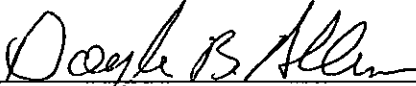
Mr. Courtney informed the Board members that Mr. Schwartz was organizing the design competition between the students at University of Virginia, Virginia Tech, and Hampton University on accessibility related issues.

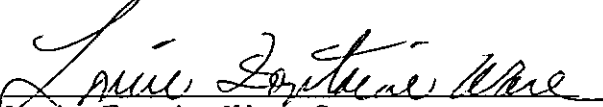
Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 10:00 a.m.

Adjourn


Doyle B. Allen, Chair


Louise Fontaine Ware, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: William H. Spell
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Richard N. Davenport
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

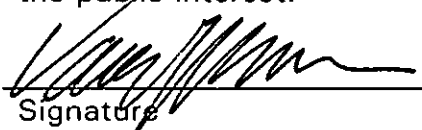
**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Vaughn B. Rinner
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: NONE

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

✓ (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

3/17/05
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: J. Everette "Ebo" Fauber, III
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: NONE

-
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

3-17-5
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Carole Ridings Renmark
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: None

-
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Carole Renmark 3/16/05
Signature Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Stanley C. Harris
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: _____

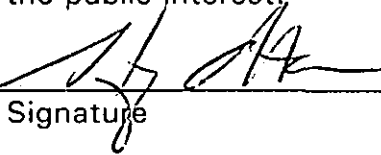
NONE

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

VSPR, ASME

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

3/17/05

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: John R. McAden
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: Surveying

-
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Surveyor's

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

John R. McAden
Signature

3-17-05
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: John S. Clark, Jr.
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: _____

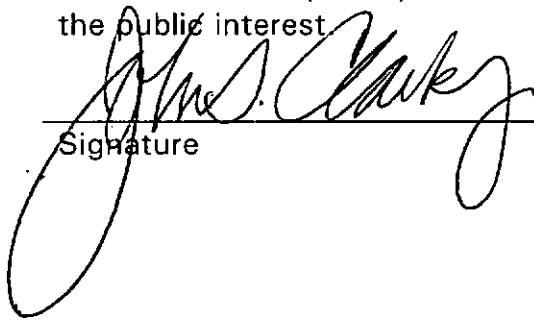
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

Date



3.17.05

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Cameron C. Stiles
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: None

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

Date

Cameron C. Stiles 3/17/05

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Nico De León
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: None

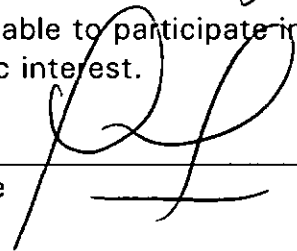
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Engineering

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature



Date

3/17/05

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: W. R. Stephenson, Jr.
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

WR Stephenson Jr
Signature

3/17/05
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Doyle B. Allen
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: None

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☒ (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Doyle B. Allen
Signature

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Kenneth A. Schwartz
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on March 17, 2005
5. Nature of Personal Interest Affected by Transaction: _____

NONE

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

3/17/05
Date